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11 THE HONORABLE STEPHANIE A. AREND
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15 SUPERIOR COURT OF THE STATE OF WASHINGTON
16 FOR PIERCE COUNTY
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19 WASHINGTON STATE REPUBLICAN
20 PARTY, et al.,

21 Plaintiffs,

22 v.

23 KLING COUNTY, et al.,

24 Defendant.

25 and

26 WASHINGTON STATE DEMOCRATIC
27 CENTRAL COMMITTEE,

28 Applicant Intervenor-Defendant.
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NO. 04-2-14599-1

DECLARATION OF CHRIS
GRANTHAM

34 I, Chris Grantham, declare under penalty of perjury of the laws of the State of
35 Washington that the following is true and correct:
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38 1. I am over the age of 18, am competent to be a witness herein, and make this
39 declaration based on my own personal knowledge.
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41 2. Since November 17, 2004, I have worked with the Democratic Party along
42 with two other staff members and volunteers to collect and analyze data from each county in
43 the state of Washington relating to the tallies of votes in the November 2, 2004 election for
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DECLARATION OF CHRIS GRANTHAM - 1

[15934-00006-0000000.S1.043510.094]

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1 Governor. We have collected this information during the initial canvassing of ballots, the
2 results of which were certified November 17, 2004, and during the machine recount of
3 ballots, the results of which were certified November 30, 2004. We have also collected this
4 information during the hand recount, which is currently ongoing.
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9 3. We have sought to collect from each county in the state a county-level and a
10 precinct-level breakdown of vote tallies in the Governor's race among both absentee voters
11 and among poll voters. By collecting and analyzing this data, we have been able to compare
12 the results of the initial count of ballots with the results of the statewide machine recount for
13 most counties. The comparisons allow us to identify where ballots have not been previously
14 counted or tallied. The same comparisons can be done with the results of the hand recount to
15 identify where ballots have not been previously counted or tallied in either the initial count
16 or the machine recount.
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25 4. Throughout the counting processes, ballots have been found to the benefit of
26 both candidates. Most of these changes have been investigated by the Secretary of State's
27 Office and resolved with reasonable explanations. I have attached as Exhibit A a true and
28 correct copy of a memorandum written by Paul Miller of the Secretary of State's Office
29 providing these explanations.
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35 5. Dino Rossi has benefited extensively from the physical discovery of
36 additional ballots in the counties he won. To my knowledge neither his campaign nor the
37 Republican Party ever objected to the counting of ballots that were likely to benefit Rossi.
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41 6. The following counties have, since initial certification on November 17,
42 2004, physically found new, uncounted ballots, to the benefit of Dino Rossi: 1) Chelan
43 County, 1 sealed ballot was accepted, opened, and counted for Rossi; 2) Skagit County, 147
44 provisional ballots uncanvassed in the initial count were accepted, opened, and counted,
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1 resulting in a net gain of 18 votes for Dino Rossi; 3) Snohomish County, 223 ballots were
2 found, accepted, opened, and counted after the initial count, resulting in a net gain of
3 approximately 11 votes for Dino Rossi; and 4) Whatcom County, 7 ballots were found,
4 accepted, opened, and counted, resulting in a net gain of 1 vote for Rossi.
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9 7. In each case, those ballots were valid, legally cast ballots that should have
10 been counted. I acknowledge this even though I fully realize that they did not help my
11 favored candidate. To my knowledge, neither I nor any other representative of the
12 Democratic Party ever suggested that those legal votes be suppressed.
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16 8. In summary, the following chart depicts changes in other Rossi-won counties
17 that showed an increase in the number of "ballots cast" from the initial count to the machine
18 recount that benefited Dino Rossi. These increases may be from counting ballots miscounted
19 by machines in the initial count, or from physically found new, uncounted ballots. In some
20 cases, such as Grant and Kittitas, the change is so large as to suggest that ballots went
21 physically unprocessed during the initial certification, but I have been unable to personally
22 verify that fact, and cannot rule out the possibility that egregious machine errors, and not
23 brand new ballots, are responsible for the shifts. More likely, these changes are votes that
24 were not previously counted for a candidate in the initial count (that is, counted as overvotes
25 or undervotes).
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County	Additional Ballots	Candidate Gains
Adams	7 more ballots cast	Rossi gains 15
Benton	3 more ballots cast	Rossi gains 1
Clallam	1 more ballot cast	No change
Clark	9 more ballots cast	Rossi gains 4

Grant	52 more ballots cast	Rossi gains 18
Island	4 more ballots cast	Rossi gains 5
Kittitas	34 more ballots cast	Rossi gains 7
Lewis	3 more ballots cast	Rossi gains 2
Mason	3 more ballots cast	Rossi gains 1
Pierce	9 more ballots cast	Rossi gains 19
Skagit	147 more ballots cast	Rossi gains 18
Spokane	7 more ballots cast	Rossi gains 13
Snohomish	224 more ballots cast	Rossi gains 11 among found ballots

9. Thus, in thirteen counties carried by Dino Rossi, ballots were added to his benefit, and neither his campaign nor the Republican Party have made any objection to the inclusion of these ballots to my knowledge.

DATED this 16th day of December, 2004 in Seattle, Washington.


Chris Grantham

DECLARATION OF CHRIS GRANTHAM - 4

[/Grantham Declaration (revised)]

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